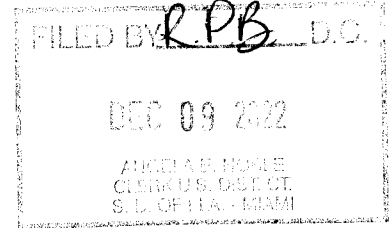


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Civil Case Number: _____



MARSHA BIEN AIME

(Write the full name of the plaintiff)

vs. MIAMI DADE CORRECTIONS
AND REHABILITATION DEPARTMENT

(Write the full name of the defendant/s in this case)

COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

I. Party Information

A. Plaintiff: MARSHA BIEN AIME

Address: 2345 SUPERIOR STREET

Inmate/Prison No.: _____

Year of Birth: 1986 (Do not include day or month, pursuant to Fed. R. Civ. P 5.2)

(Write your name, address and prison/inmate number, if applicable)

vs.

B. Defendant: MIAMI DADE CORRECTIONS Defendant: _____
AND REHABILITATION DEPT.

Official Position: EMPLOYER Official Position: _____

Place of Employment: _____ Place of Employment: _____

(Write the full name of each defendant, official position and place of employment. Attach a separate page if you need additional space for additional defendants.)

II. Statement of Claim

Briefly describe the facts of your case. Describe how each defendant is involved, names of other persons involved, and dates and places. Each claim should be stated in a separately numbered paragraph. Please use short and plain statements, with separately numbered paragraphs indicating why the relief requested should be granted. Do not include legal arguments or cite cases or statutes. Attach additional pages, if necessary.

I WAS BEING HARRASSED AND BULLIED AT MY PLACE OF EMPLOYMENT. I FILED A COMPLAINT WITH HUMAN RESOURCES, AN INVESTIGATION WAS DONE AND CONCLUDED THAT IT WAS INDEED A TOXIC AND HOSTILE ENVIRONMENT. AFTER I FILED THE COMPLAINT, THE HARRASSING CONTINUED AND I WAS NOW BEING RETALIATED UPON NOW, FOR BEING LABELED A WHISTLEBLOWER. I WAS TRANSFERRED ASSIGNMENT ON NUMEROUS OCCASIONS, AND SENT TO A FITNESS FOR DUTY EVALUATION FOR EXERCISING MY 1ST AMENDMENT, BEING DISCRIMINATED UPON SEVERELY.

III. Relief Requested

Briefly state what you are requesting from the Court (what do you want the Court to do). Do not include legal arguments or cite cases or statutes. Attach additional pages, if necessary.

I WOULD LIKE THE COURT TO GRANT ME THE RIGHTS TO NOT BE DISCRIMINATED UPON BASE OFF OF A PROTECTED CLASS, EEOC HAVE DETERMINED WAS TAKING PLACE, I WOULD LIKE TO BE COMPENSATED FOR THE EMOTIONAL PAIN AND SUFFERING CAUSED, AND MY JOB BACK FOR THE DISCRIMINATION I ENDURED AND THE RETALIATION I FACED FOR FILING A Legitament Complaint as an Employee, exercising the Rights as an Employee.

OR I WOULD LIKE A SETTLEMENT.

IV. Jury Demand

Are you demanding a jury trial?

☒ Yes ☐ No

Signed this 9th day of DECEMBER, 2022

Marsh B. Smith
Signature of Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: DECEMBER 9, 2022

Marsh B. Smith
Signature of Plaintiff

2345 Superior Street
Opalocka FL 33054
786-668-9969



Human Resources
Human Rights and Fair Employment Practices
111 NW 1st Street, 21st Floor
Miami, FL 33128
T 305-375-2784 F 305-375-2114
www.miamidade.gov/humanrights

January 24, 2022

VIA EMAIL at Lovelyb33@yahoo.com

Marsha Bienaime Benjamin
1525 NE 125 Street
North Miami, FL 33161

Re: FEP Case No. I-8495

Dear Ms. Bienaime Benjamin:

Miami-Dade County Implementing Order 7-45 prohibits all forms of employment discrimination, harassment and retaliation against employees or applicants based on such factors as race, color, sex, national origin, disability, religion or age. Discrimination, harassment, and retaliation are unacceptable in the workplace. Certain conduct or behavior may constitute a violation of the County's policy even if it does not constitute a violation of law. Therefore, the County will take appropriate corrective or remedial action to address any workplace inappropriate conduct, even if it is an isolated incident or otherwise falls short of the definition of unlawful harassment under applicable law.

The Human Rights & Fair Employment Practices Division ("HRFEP") has completed its investigation of the complaint you filed on October 28, 2020, and determined there was a **Violation** of the County's Policy on Unlawful Discrimination, Harassment, and/or Retaliation. As such, the Human Resources (HR) Director, in consultation with HRFEP and the Labor Relations Section, will make recommendations to the Department Director related to the appropriate corrective actions to be taken. In addition, the HR Director may issue recommendations to ensure that you are not subjected to further discrimination or harassment, and to remedy the effects of any discrimination or harassment that may have occurred.

We appreciate your compliance with the County policy and your use of the County's complaint procedure for reporting employment discrimination. To ensure protection of your rights under County policy, please contact this office as soon as possible if you believe you were retaliated against for making this complaint.

Sincerely,

A handwritten signature in cursive script that reads "Erin A. New".

Erin A. New, Division Director
Human Rights & Fair Employment Practices
Human Resources Department



U.S. Department of Justice
Civil Rights Division
NOTICE OF RIGHT TO SUE WITHIN 90 DAYS

VIA EMAIL

150 M Street, N.E.
Karen Ferguson , EMP, 4CON, Room 9.514
Washington, DC 20530

November 07, 2022

Ms. Marsha Bienaime
2345 Superior St.
Opa Locka, FL 33054

Re: EEOC Charge Against Miami Dade County Corrections & Rehabilitation Dept.
No. 510202201968

Dear Ms. Bienaime:

Because you filed the above charge with the Equal Employment Opportunity Commission, and the Commission has determined that it will not be able to investigate and conciliate that charge within 180 days of the date the Commission assumed jurisdiction over the charge and the Department has determined that it will not file any lawsuit(s) based thereon within that time, and because you have specifically requested this Notice, you are hereby notified that you have the right to institute a civil action under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, et seq., against the above-named respondent.

If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice. If you cannot afford or are unable to retain an attorney to represent you, the Court may, at its discretion, assist you in obtaining an attorney. If you plan to ask the Court to help you find an attorney, you must make this request of the Court in the form and manner it requires. Your request to the Court should be made well before the end of the time period mentioned above. A request for representation does not relieve you of the obligation to file suit within this 90-day period.

The investigative file pertaining to your case is located in the EEOC Miami District Office, Miami, FL.

This Notice should not be taken to mean that the Department of Justice has made a judgment as to whether or not your case is meritorious.

Sincerely,

Kristen Clarke
Assistant Attorney General
Civil Rights Division

by /s/ Karen L. Ferguson
Karen L. Ferguson

Supervisory Civil Rights Analyst

Employment Litigation Section

cc: Miami District Office, EEOC

Miami Dade County Corrections & Rehabilitation Dept.



U.S. Department of Justice
Civil Rights Division

NOTICE OF RIGHT TO SUE WITHIN 90 DAYS

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If you choose to commence a civil action, such suit must be filed in the appropriate Court within 90 days of your receipt of this Notice. If you cannot afford or are unable to retain an attorney to represent you, the Court may, at its discretion, assist you in obtaining an attorney. If you plan to ask the Court to help you find an attorney, you must make this request of the Court in the form and manner it requires. Your request to the Court should be made well before the end of the time period mentioned above. A request for representation does not relieve you of the obligation to file suit within this 90-day period.

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Sincerely,

Kristen Clarke
Assistant Attorney General
Civil Rights Division

by /s/ Karen L. Ferguson
Karen L. Ferguson
Supervisory Civil Rights Analyst
Employment Litigation Section

cc: Miami District Office, EEOC

Miami Dade County Corrections & Rehabilitation Dept.